

ORDINANCE NO. 2003 - 037

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO REVISE BY INCORPORATING MASTER PLANS FOR FOUR COUNTY AIRPORTS); **MAP SERIES** (TO UPDATE FIGURES TE 8.1 AND TE 9.1, FUTURE 2020 AIRPORT CLEAR ZONES); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 14 & 28, March 14, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 2, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on June 23, 2003 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 20, 2003 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of

1 Community Affairs contained no objections to the amendments contained
2 in this ordinance;

3 WHEREAS, on August 21, 2003 the Palm Beach County Board of County
4 Commissioners held a public hearing to review the written comments
5 submitted by the Department of Community Affairs and to consider
6 adoption of the amendments; and

7 WHEREAS, the Palm Beach County Board of County Commissioners has
8 determined that the amendments comply with all requirements of the
9 Local Government Comprehensive Planning and Land Development
10 Regulations Act.

11 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
12 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

13 Part I. Amendments to the 1989 Comprehensive Plan

14 Amendments to the text of the following Element of the 1989
15 Comprehensive Plan are hereby adopted and attached to this Ordinance
16 in Exhibit 1:

- 17 A. Transportation Element, To revise by incorporating Master
18 Plans for four County Airports;
19 B. Map Series, To update Figures TE 8.1 and TE 9.1, Future 2020
20 Airport Clear Zones;
21 C. Amending all elements as necessary for internal consistency.

22 Part II. Repeal of Laws in Conflict

23 All local laws and ordinances applying to the unincorporated area
24 of Palm Beach County in conflict with any provision of this ordinance
25 are hereby repealed to the extent of such conflict.

26 Part III. Severability

27 If any section, paragraph, sentence, clause, phrase, or word of this
28 Ordinance is for any reason held by the Court to be constitutional,
29 inoperative or void, such holding shall not affect the remainder of
30 this Ordinance.

31 Part IV. Inclusion in the 1989 Comprehensive Plan

32 The provision of this Ordinance shall become and be made a part
33 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
34 Ordinance may be renumbered or relettered to accomplish such, and the
35 word "ordinance" may be changed to "section," "article," or any other

appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 21 day of August, 2003.

ATTEST:

DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Deputy Clerk

By: [Signature]
Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

Filed with the Department of State on the 28 day of August, 2003

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EXHIBIT 1

A. Transportation Element, Airport Facilities

REVISIONS: To revise by incorporating Master Plans for four County Airports. The revisions are listed below, and shown with the added text underlined, and the deleted text ~~struck out~~.

I. Introduction

B-5. Airport Facilities - Palm Beach County has incorporated into its Comprehensive Plan the existing Airport Master Plans exist for the of the four County-operated airports: Palm Beach International Airport, Palm Beach County Park Airport, Palm Beach County Glades Airport, and North Palm Beach County General Aviation Airport, and shall seek to achieve consistency and coordination between the Master Plans and this Comprehensive Plan. Future expansions of these four County-operated airports are to be performed relative to the Master Plans and include an analysis of the compatibility of future land uses around airports. Impacts of the non-County operated airports of Belle Glade State and Boca Raton airports on the County operated airports are also to be monitored.

OBJECTIVE 1.7 Future Airport Facilities Expansion

By January 2001, Palm Beach County has incorporated the four County-operated Airport Master Plans into its Comprehensive Plan, pursuant to F.S. 163.3177(6)(k), (2002) shall prepare revised airport master plans for all county operated airports in which demand for aviation and related facilities shall be evaluated and analyzed in order to provide for future county aviation needs. The Current dates of the for completed a Airport m Master p Plans pertaining to each of these facilities and incorporated into this Comprehensive Plan are shown below:

Palm Beach International Airport — ~~1990~~ January 2001
Palm Beach County Glades Airport — ~~1992~~ October 1990
Palm Beach County Park Airport - ~~1992~~ May 2000
North Palm Beach County General Aviation Airport — ~~1996~~ May 1996

Policy 1.7-e: Airport Master Plans and related development activities shall be consistent with local, State, Regional and Federal agencies plans and programs. [9J-5.019(4)c11 F.A.C.]

OBJECTIVE 1.15 Additional Airport Land Use and Environmental Issues

Palm Beach County shall ensure that aviation facilities are located in appropriate areas consistent with the adopted County Future Land Use, Coastal Management and Conservation Elements; and are operated in a safe manner as mandated by applicable FAA, FDOT, CFASPP and county guidelines; shall provide for coordination of transportation plans among the appropriate land use and transportation planning and implementing organizations on an ongoing basis; and be financially feasible. [9J-5.019(4)(b)2 F.A.C.]

Policy 1.15-I: The County shall review future amendments to the four County-operated Airport Master Plans for consistency with the County's Comprehensive Plan, and will consider incorporation by reference in the Comprehensive Plan the County-approved Master Plan revisions.

B. Map Series, Airport Facilities.

REVISIONS: To revise Figures TE 8.1 and TE 9.1, Future 2020 Airport Clear Zones.

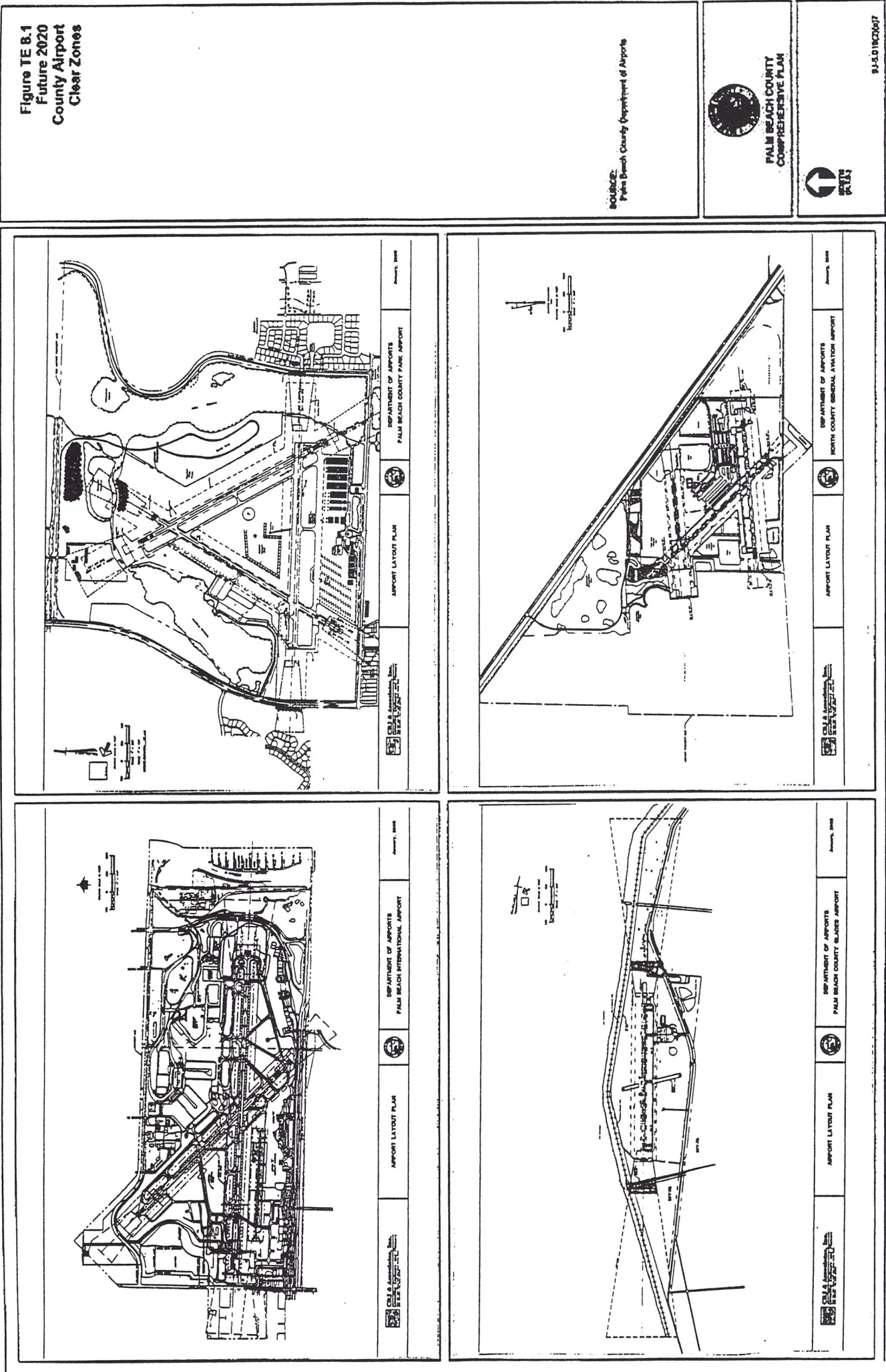


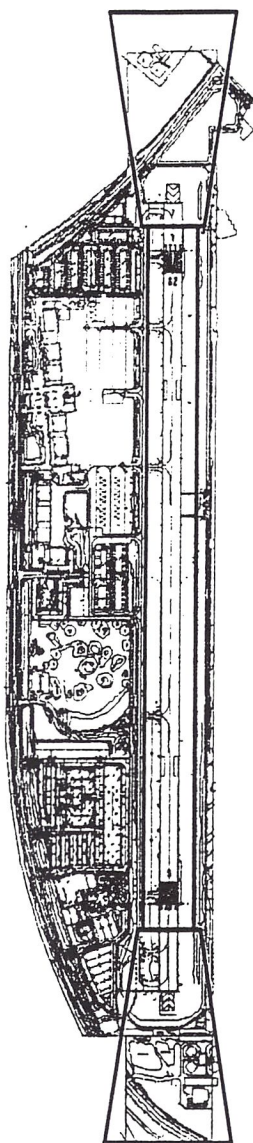
Figure TE 9.1
Future 2020
Other Airport
Clear Zones

BL501W/SK07

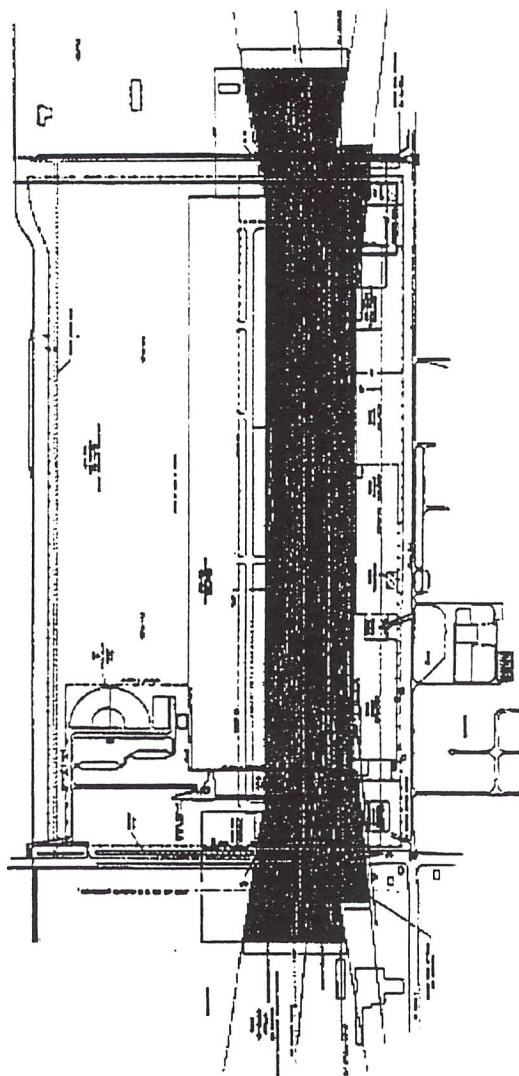
SOURCE:
Palm Beach County Department of Airports



PALM BEACH COUNTY
COMPREHENSIVE PLAN



Boca Raton Airport



Belle Glade State Airport

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 21, 2003
DATED at West Palm Beach, FL on 9/19/03.
DOROTHY H. WILKEN, Clerk
By: Wane Brown D.C.